

## **MINUTES OF REGULAR MEETING HELD OCTOBER 13, 2020**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, October 13, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

**PRESENT:** Mayor Brindle Council Members, Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

**ABSENT:** None

Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom

### **FLAG SALUTE**

### **APPOINTMENTS**

### **PRESENTATIONS**

#### **Administrator's Update:**

- Discussed a late starter resolution that was added to tonight's agenda which authorizes replenishment of the postage meter for the mailing of leaf collection brochures. Also discussed the leaf collection program for 2020 and stated that residents may dispose of leaves at the Conservation Center, which would be open Monday through Friday, as well as on weekends, beginning on Monday, October 19. No permit is required for leaf drop off, only proof of residence. In addition, the Green Team and the Public Works Committee are attempting to encourage voluntary leaf bagging. The Town would be providing 10 free leaf bags, and the first 100 residents that pick up leaf bags at the Conservation Center would receive a free leaf chute which helps to make leaf bagging easier. Leaf collection season is scheduled to begin on Monday, November 2, weather permitting. In addition, information as to crew location for leaf collection would be available on the Town's website. Also discussed information included in the leaf collection brochure, such as Adopt-a-Drain Program and mulching;
- Provided an update of the rain garden to be installed at Tamaques Park and stated that the Department of Public Works has begun to dig the area with guidance from Rutgers University. Stated that it will be a very large rain garden that will be beautiful once it is completed. This week, the Department of Public Works would be working with Rutgers University to install river stone as well as bioretention soil, which would then be followed up with specific plantings for rain gardens chosen by Rutgers University. Mentioned that the planting would be done with the assistance of the Green Team and the Westfield High School Girls' Track and Field Team. Also discussed the Westfield High School Girls' Track and Field Team's involvement with fundraising for this project;
- Announced that final tax bills have been mailed to property owners and reminded all that tax collection payments are due November 1. Mentioned that a drop box is available outside of the Municipal Building and stated that a great deal of payments have been received already. Commended residents for the Town's collection rate throughout the year despite the pandemic;
- Lastly, provided an update of improvements to Scotch Plains Avenue to occur between South Avenue and Dorian Road. Explained that State aid was awarded for this project which would fund approximately 95% of the cost. The Town received plan approval from the State and a pre-construction meeting is scheduled for next week, with work beginning soon thereafter. Notices would be provided to impacted residents and posted to the Town's website. Also discussed improvements to North Chestnut Street that occurred this year, as well as improvements to West Broad Street that have been conducted by Union County.

### Mayor's Remarks:

- Thanked those who joined the meeting virtually and reminded all that public comment would only be accepted via Zoom, with live streaming for viewing only on Facebook. A replay of the meeting would also be available on Facebook, YouTube, and TV 36;
- Provided an update of COVID-19 and announced that today there were 215,085 confirmed cases of COVID-19 in New Jersey to date, with another 392 still under investigation. Union County has reported 18,316 cases in total, with Westfield reporting no new cases since the last update on Friday, keeping Westfield's total at 401 since its first reported case in March;
- Informed residents that Governor Murphy has announced \$100 million in additional Coronavirus Aid, Relief, and Economic Security (CARES) Act funding to support New Jersey residents and businesses affected by the COVID-19 pandemic. The bulk of the money, \$70 million, would be distributed to restaurants, microbusinesses, and other small businesses through Phase 3 of the New Jersey Economic Development Authority (NJEDA) Small Business Emergency Assistance Grant Program; an additional \$10 million would be used to help small businesses purchase Personal Protective Equipment (PPE) through the NJEDA Small and Micro Business PPE Access Program; \$15 million would go to support renters through the Department of Community Affairs (DCA) COVID-19 Emergency Rental Assistance Program; and \$5 million would support food banks and other hunger relief efforts. Full details are available at [covid19.nj.gov](https://covid19.nj.gov);
- Informed residents that the Governor also announced that indoor contact practices and competitions may resume for medium and high-risk sports, with proper health and safety protocols in place. Full details can be found at [nj.gov/governor/news](https://nj.gov/governor/news);
- Announced that the NJ Department of Human Services unveiled a \$12 million rental/mortgage assistance program for families that have suffered financial hardship due to COVID-19 and have not been eligible for, or received, prior housing assistance. New Jersey residents could now apply for up to \$25,000 to help pay housing costs if they have been unable, or will be unable, to make payments due to the ongoing pandemic. Encouraged residents to visit the State's website for details about qualifications;
- Announced that the new Union County COVID-19 Emergency Restaurant Grant program, established by the Freeholder Board, provides a total of \$2 million to qualified restaurants located in Union County on a first come, first served basis. Restaurants impacted by COVID-19 are eligible for grants of up to \$20,000 each. This program provides reimbursement for expenses related to compliance with Governor Murphy's Executive Orders on restaurant operations during the COVID-19 public health emergency, including items for facilitating outdoor dining, social distancing, and disinfecting a facility. The online application portal would be open at 9:00AM on Wednesday, October 14;
- Reminded everyone of the resources available regarding voting in the upcoming General Election. Announced that today is the deadline to register to vote in New Jersey and residents could visit [nj.gov/state/elections](https://nj.gov/state/elections) to register or to confirm registration. Also reminded all that this is primarily a vote by mail election in the State, meaning that voting by machine would only be available to those with disabilities. Voters may drop off completed ballots at a secure drop box (the closest one located at the Fraser Building on North Avenue), at designated polling places on Election Day, or via US Mail. Encouraged all residents to visit the Union County Clerk's website, which provides details about registration, ballot drop boxes, mail-in ballots, voting in-person by provisional ballot, instructional videos, and more;
- Stated that she would be participating in a walk with seniors, along with the Police Chief, on October 21 at 10:30AM in Mindowaskin Park. The walk would begin at the gazebo, where free safety vests would be distributed to all seniors and caregivers. There would also be a brief presentation by the Westfield Police Department on walking safety. Advised those that wish to attend to RSVP by calling 908-301-1287 or by emailing [westfieldnjseniors@gmail.com](mailto:westfieldnjseniors@gmail.com). Attendees would be required to practice social distancing protocols and to wear a face mask. Thanked Lifelong Westfield for organizing this effort;
- Discussed the upcoming AddamsFest event and announced that this year Councilwoman Mackey and her team of volunteers re-imagined the event as "Alt AddamsFest" to provide creative and pandemic-friendly ways to commemorate the legacy of Charles Addams and build upon the tradition and spirit of the last two years of highly successful events. While there cannot be a gathering for the beer garden this year, there are many other events on the schedule, including the Haunt Your House Contest, the Wicked Windows, Dudley's Drive-In, the Tamaques Haunted Trail, the Maniacs' Carving Chat & Contest, and more. Tickets have been selling quickly, with more being made available this week. All of the latest information can be found by visiting [addamsfest.com](https://addamsfest.com) or following @AddamsFest on social media;

- Discussed an initiative that the Westfield Education Fund launched this week called “Spreading Thanks to our Teachers.” With this lawn sign fundraiser, WEF is encouraging families to display a public thank you to teachers and students for being true heroes in this challenging year. The signs would be available for display starting in late October for \$30 each, and all proceeds fund innovation for Westfield’s schools. For more information, visit [westfieldfund.org/lawn-signs](http://westfieldfund.org/lawn-signs);
- Thanked the Mental Health Council for sponsoring an upcoming webinar, in collaboration with the School District, that would provide tips and strategies for parents on how to help kids manage stress and anxiety during this pandemic. The webinar is scheduled for October 22 at 7:00PM, with additional information about the webinar and the zoom meeting on the Town’s website;
- Stated that the Town continues to lay the groundwork to provide incentives for residents to voluntarily designate historic homes by providing five-year tax abatements on the value of their improvements. In order to do that, the Town Council would vote on a resolution to designate the entire Town as an area in need of rehabilitation, and would also vote on an ordinance on second reading providing for the implementation of the Five Year Tax Exemption and Abatement Law, which applies the rehabilitation designation to historically designated homes only. Explained that this ordinance simply amends the tax abatement previously implemented for the Downtown’s Special Improvement District and would expand to now include historically designated properties within the Town. As a reminder, this tax abatement only applies to the value of improvements to properties and therefore does not impact current tax revenue paid to the Town;
- Announced that the Police Chief would be joining her tomorrow morning at 9:30 for a Facebook Live discussion, where they would discuss the recent police activity in Town, some of the department’s current initiatives, Halloween guidance, and more. Advised those with questions they would like addressed to submit them either in advance online, or tomorrow in the Facebook Live comments;
- Reminded everyone that she would once again be enforcing Robert’s Rules this evening to ensure that the meeting stays on topic and runs efficiently. Any comments that are not relevant to the particular business at hand should be deferred to after Council committee reports and not in this meeting. The public would only be allowed to comment during the public comment portion for a specific ordinance, or later in the general comment portion, and can speak only once on a particular topic. Explained that she has an obligation to manage the Council meetings and would do all that she can to ensure that the meeting stays on topic this evening;
- Thanked all for their interest, outreach, and engagement.

### **ADVERTISED HEARINGS**

#### **GENERAL ORDINANCE NO. 2191**

#### **AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20**

Advertised returnable this evening.

Hearing no further comments, Mayor Brindle declared the hearing closed.

#### **GENERAL ORDINANCE NO. 2192**

#### **AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO INCLUDE A REPORT AND RECOMMENDATION OF THE WESTFIELD FIRE DEPARTMENT ON DEVELOPMENT APPLICATIONS**

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

#### **GENERAL ORDINANCE NO. 2193**

#### **AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD BY DEFINING ARTISAN MANUFACTURING AND ESTABLISHING THEM AS A PERMITTED PRINCIPAL USE IN CERTAIN ZONE DISTRICTS**

Advertised returnable this evening.

Hearing no further comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2194  
AN ORDINANCE AMENDING GENERAL ORDINANCE NO. 2171 PROVIDING FOR  
THE IMPLEMENTATION IN THE TOWN OF WESTFIELD OF THE “FIVE YEAR TAX  
EXEMPTION AND ABATEMENT LAW” PURSUANT TO N.J.S.A. 40A: 21-1

Advertised returnable this evening.

Hearing no further comments, Mayor Brindle declared the hearing closed.

**PENDING BUSINESS**

An ordinance entitled, “GENERAL ORDINANCE NO. 2191 - AN ORDINANCE TO AMEND  
THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20” by Councilwoman Mackey,  
seconded by Councilman Katz, was taken up, read and passed by the following vote of all  
present upon roll call as follows:

Yeas: Habgood	Nays: None	Absent: None
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

An ordinance entitled, “GENERAL ORDINANCE NO. 2192 - AN ORDINANCE TO AMEND  
CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF  
WESTFIELD TO INCLUDE A REPORT AND RECOMMENDATION OF THE WESTFIELD  
FIRE DEPARTMENT ON DEVELOPMENT APPLICATIONS.” by Councilwoman Mackey,  
seconded by Councilman LoGrippto, was taken up, read and passed by the following vote of all  
present upon roll call as follows:

Yeas: Habgood	Nays: None	Absent: None
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

An ordinance entitled, “GENERAL ORDINANCE NO. 2193 - AN ORDINANCE TO AMEND  
CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF  
WESTFIELD BY DEFINING ARTISAN MANUFACTURING AND ESTABLISHING THEM  
AS A PERMITTED PRINCIPAL USE IN CERTAIN ZONE DISTRICTS.” by Councilwoman  
Mackey, seconded by Councilman Dardia was taken up, read and passed by the following vote  
of all present upon roll call as follows:

Yeas: Habgood	Nays: None	Absent: None
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

An ordinance entitled, “GENERAL ORDINANCE NO. 2194 - AN ORDINANCE AMENDING GENERAL ORDINANCE NO. 2171 PROVIDING FOR THE IMPLEMENTATION IN THE TOWN OF WESTFIELD OF THE “FIVE YEAR TAX EXEMPTION AND ABATEMENT LAW” PURSUANT TO N.J.S.A. 40A: 21-1.” by Councilwoman Mackey, seconded by Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood  
Parmelee  
Katz  
Mackey  
Contract  
Dardia  
Boyes  
Mayor Brindle

Nays: LoGrippo

Absent: None

Town Council Comments:  
Councilwoman Habgood discussed the purpose of General Ordinance No. 2194 and explained that it allows for a tax abatement for residents who designate their homes as historic and make improvements to their home. Any increased value that results from a revaluation of those improvements would not have a tax impact for 5 years.

**BIDS**

**TOWN OF WESTFIELD  
INVITATION TO BID  
OCTOBER 7, 2020  
CURBSIDE RECYCLING**

<u>BIDDER</u>	<u>AMOUNT</u>
Giordano Co	1 Year @ \$733,800.00
P.O Box 2129	
142-156 Frelinghuysen Avenue	3 Year @ \$2,213,880.00
Newark, NJ 07114	
	Alt III 1 Year @\$721,680.00
	3 Year @ \$2,194,680.00
	Alt V 1 Year @ \$ 733,800
	3 Year @ \$2,213,880.00
	Alt VI \$60/Container

**MINUTES**

On a motion by Councilwoman Mackey and seconded by Councilman LoGrippo, Council approved the Minutes of the Town Council Regular Meeting held September 22, 2020.

**PETITIONS AND COMMUNICATIONS**

**OPEN DISCUSSION BY CITIZENS**

Mayor Brindle opened the public comment portion of the meeting and asked if there were any questions or comments.

John Blake, 809 Carleton Road, discussed the tires and rims that might have been misappropriated by an employee within the Department of Public Works. Asked if it was a theft and if it was reported to the Prosecutor’s Office. Also asked how the tires and rims were transferred to the employee if it was not a theft and if payment was made to the Town.

Mayor Brindle stated that the Town is not permitted to comment on a personnel or litigation matter.

Mr. Blake feels if it is not a criminal matter, the Town could provide comment.

Mayor Brindle explained that this portion of the meeting is for public comment only and that she would address his questions once the public comment portion of the meeting is closed.

Michael Blancato, 18 Carol Road, feels most did not expect the pandemic to last this long and for that reason, Downtown Westfield was not prepared for the fall because there are no options for property owners to install semi-permanent pergolas and the like. Also requested clarification as to snow removal from Downtown Westfield. Feels snow removal has not been done since the 1980's and 1990's and hopes that it would be considered under the circumstances with the pandemic.

Matt Kadosh, Tapinto Westfield, requested clarification as to the decision not to offer the bulk waste program this year.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

Mayor Brindle addressed Mr. Blake's questions and reiterated that the Town cannot comment on an employee matter or a pending investigation.

Mayor Brindle also informed Mr. Blancato that a meeting with Downtown property owners is scheduled for October 14, 2020 and suggested that he attend. The Town is seeking input from property owners as to what they would require to successfully get through the fall and winter months during the pandemic.

Lastly, Mayor Brindle suggested that, as a member of the press, Mr. Kadosh take his question offline and contact the Town Administrator for information concerning the bulky waste program.

### **BILLS AND CLAIMS**

On motion by Councilwoman Habgood, and seconded by Councilman LoGrippo bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$704,554.18 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

### **REPORTS OF STANDING COMMITTEES:**

#### **Finance Policy Committee.**

The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilwoman Mackey, were unanimously adopted with Councilman LoGrippo voting against Resolution No. 223.

#### **Resolution No. 213**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$40.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of September 2020.

#### **Resolution No. 214**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$650.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of July - September 2020.

#### **Resolution No. 215**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$5.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of July - September 2020.

#### **Resolution No. 216**

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

Name	Account	Class	Fee
Teresa Culkin 537 St. Marks Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Playground 2020 Refund/Washington School Braeden Culkin	\$195.00

**Resolution No. 217**  
 LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

Ms. Sara Kisztelinski  
 1022 Tucana Drive  
 San Marcos, CA 92078

Amount of refund:     \$975.00

**Resolution No. 218**  
 WHEREAS, certain individuals submitted application and paid the required fee of \$50.00 for a Tree Permit; and

WHEREAS, it was determined after issuance of said permit that these individuals were exempt from the requirements of obtaining a tree permit.

NOW THEREFORE, BE IT RESOLVED that the Treasurer be and hereby is authorized to draw warrant to refund the following fees to the following individuals:

NAME ADDRESS	PERMIT NO.	AMOUNT	EXEMPTION DETERMINED BY
Elmar Martinez 49 Summit Court Westfield, NJ 07090	20-63	\$50.00	Westfield Public Works Forestry Division
Gregory M. Heintz 218 Seneca Place Westfield, NJ 07090	20-62	\$50.00	Westfield Public Works Forestry Division
Brian D. Stoudt Land Design 506 East Lancaster Ave Downingtown, PA 19335	20-28	\$50.00	Travis & Associates Pure Consulting Arborists

**Resolution No. 219**  
 RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$14,314.00 to the TREASURER, STATE OF NEW JERSEY for the third quarter Construction Official’s State permit fees for 2020.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

**Resolution No. 220**  
 RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2019 pursuant to the Tax Court of New Jersey:

Block/Lot			
Name	Address	Year	Amount
1410/9 Cravo, Valdemar & Nunes, Irene	409 Woodland Avenue	2019	\$1,816.75

Bushinger, Brett & Alissa

**Resolution No. 221**

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of Westfield wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of Westfield, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

**Resolution No. 222**

WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis and has been a member since 1994; and

WHEREAS, the Bylaws of said funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Town of Westfield solicited requests for proposals for such services in accordance with G.O. 1753 of the Town of Westfield; and

WHEREAS, the Bylaws indicate that the commission rate shall not exceed six percent (6%) of the Member's Annual Assessment; and

WHEREAS, Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068 submitted a proposal to perform such services outlined for two percent (2%) of annual assessment; and

WHEREAS, the Bylaws of the aforesaid Fund require that in such case the municipality will make payment for such professional services directly to the Risk Management Consultant.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer of the Town of Westfield be, and hereby is, authorized and directed to draw warrant to the order of Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068, in the sum of \$11,663.32 representing the second half of the annual assessment.

**Resolution No. 223**

WHEREAS, the Town Council for the Town of Westfield (the "Town") intends to serve as the lead agency conducting a Government Energy Aggregation Program in the Town;

WHEREAS, in its capacity as lead agency and consistent with applicable rules, the Town of Westfield solicited proposals for the provision of electric generation services on behalf of residential customers within the boundaries of the Town; and

WHEREAS, Gabel Associates, 417 Denison Street, Highland Park, NJ 08904, has submitted a proposal dated October 7, 2020, indicating that Gabel Associates would provide the above-service at a total fee of \$.00078 per kWh of electricity used by those participating consumers enrolled in a Town of Westfield Municipal Energy Aggregation Program; and

WHEREAS, the Town has deemed that the background, experience, and qualifications of the Respondent herein satisfies the criteria set forth in the RFP; and



NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby authorizes the Mayor to enter into a contract with Gabel Associates as described herein; and

BE IT FURTHER RESOLVED that the proper Town Officials be, hereby are, authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

**Resolution No. 224**

WHEREAS, a need exists for upgrades to the Town Council Chambers and other meeting rooms within the Town of Westfield Municipal Building; and

WHEREAS, at a meeting held June 4, 2019, the Town Council of the Town of Westfield adopted Resolution No. 143-2019, authorizing award of contract to Fraytak Veisz Hopkins Duthie P.C. (FVHD), Architects and Planners, 1515 Lower Ferry Road, Trenton, New Jersey 08618, to conduct a review and evaluation of each meeting room in connection with these upgrades, including mechanical, electrical, and plumbing systems, as well as a review of the Town's AV/Broadcast video system; and

WHEREAS, the evaluation phase described above has been completed and the Town desires to move forward with the second phase of this project, which includes various design and architectural services for the Town's AV Broadcast Video System in the Town Council Chambers at a cost not to exceed \$52,850.

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be charged to Special Ordinance 2216, account C-07-19-221-6D1, under Purchase Order No. 20-03332 and prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield as follows:

1. FVHD Architects and Planners, LLC be and hereby is awarded a contract for Phase 2 of the meeting room upgrade project as described above; and
2. The term of the contract will be for a term of one (1) year; and
3. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

**Comments:**

**Resolution No. 224:**

The Town Administrator stated that Mark Friedberg, Chair of the Technical Advisory Council (TAC), is in attendance and asked that he discuss the plans to upgrade Council Chambers. Discussed the Technical Advisory Council's involvement through this process and explained that in addition to screens and cameras and other improvements that would benefit all users of the room, different upgrades would also be considered due to the pandemic, such as Zoom capabilities during in-person meetings.

Mayor Brindle feels it is important to note that the Town would be seeking reimbursement for many of these expenses.

The Town Administrator explained that some of the cost for the meeting room upgrades, as well as some of the costs for the Town's website upgrade, might be eligible for reimbursement through the CARES Act.

Mr. Friedberg discussed the establishment and the composition of the TAC. Feels members have a variety of technology expertise in both the private and public sector. Stated that Councilman Katz serves as liaison and the Town Administrator is also involved for guidance, tactical input and prioritization. Recognized other TAC members, Victor Liu, Andrew Bauer, David Siegler, Eric Morrow and Mark McMahon, and discussed the objectives of the TAC, which is to apply their knowledge and support to the governing body and the Town Administrator when possible with respect to technology vision, management, and risks. Stated that he is hoping that there would be an increased emphasis on these objectives, in addition to a prioritization of technology projects and budget management.

Mr. Friedberg also discussed Resolution No. 224 which authorizes a contract for design services for upgrades to Council Chambers. Feels these upgrades are long overdue and explained that this

contract would not only involve design services but would also determine if there are wiring and/or asbestos issues in Council Chambers. Feels once this project is completed, acoustics and sound would be much improved, as well as significantly improved collaboration both inside and outside of Council Chambers. In addition, the presentation of paper documents during meetings would be simplified and believes things that have been learned through the pandemic should be incorporated into the design.

Mayor Brindle thanked Mr. Friedberg and the TAC and discussed their involvement in the Westfield Connect app.

Councilman Katz also thanked Mr. Friedberg and the entire TAC for their efforts. Feels it is interesting to see the vast experience these members have in various aspects of technology.

**Resolution No. 223:**

Councilman Contract discussed General Ordinance No. 2176 adopted on June 30, 2020, which authorized the establishment of a Government Aggregation Program. Explained that the adoption of Resolution No. 223 is the next step in the process and involves the hiring of a consultant, at no cost to the Town, to explore the marketplace for energy cost savings to residents by aggregating the Town's energy supply, and by switching to a more renewable energy source. If cost savings are determined, a recommendation would be brought to the Town Council for approval. Also explained that the program would include all residents, unless they choose to opt out.

Councilman LoGrippo asked how many responses were received to the Request for Proposals (RFP) for this service.

Councilman Contract stated that 3 proposals were received, and Gabel Associates was selected based upon their experience and because they submitted the least costly option.

Councilman LoGrippo asked if a timeframe has been established as to when the Town would auction for energy services.

Councilman Contract stated that a timeframe has not been confirmed, but it is his understanding that the market is currently receptive and feels the Town should move quickly. Feels the next step would be to meet with Gabel Associates and allow them to dictate the timing for an auction.

Councilman LoGrippo asked if Councilman Contract was familiar with an issue involving Gabel Associates and the Borough of Glen Rock. Explained that Gabel Associates was not able to provide the rate that had been promised after an agreement had been executed. Feels the Town should research this issue.

Councilman Contract stated that he is not familiar with the issue with Glen Rock, but he has spoken with representatives who were involved with Essex County's energy consortium, which resulted in a 10% savings to residents and a change to a 75% renewable energy source. Stated that Gabel Associates was the vendor involved with Essex County's program.

**Public Safety, Transportation and Parking Committee**

**Code Review & Town Property Committee**

The following resolution, introduced by Councilwoman Mackey, seconded by Councilman Dardia was adopted by the following roll call vote:

**Resolution No. 225**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Redevelopment Law") provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the "Town"), by and through its Mayor and Council (the "Governing Body"), to delineate an area within the Town as

an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, *N.J.S.A. 40A:12A-14* provides that “where warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality”; and

WHEREAS, Town Planner, Donald B. Sammet, PP/AICP, and Town Engineer, Kris McAloon, PE, had been directed to investigate whether the Town in its entirety (the “Study Area”) qualified as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Mr. Sammet and Mr. McAloon prepared a report entitled “*Town of Westfield Area in Need of Rehabilitation Study*” dated August 26, 2020 which is attached hereto as Exhibit A (the “Study Report”); and

WHEREAS, the Study Report concludes that because (a) a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance and (b) because more than half of the housing stock in the Study Area is at least 50 years old, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on September 8, 2020, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on October 5, 2020, the Planning Board returned this resolution and Study Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Governing Body finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the Study Report and the Planning Board’s recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. Based upon the facts reported in the Study Report and the recommendation of the Planning Board, the Mayor and Council find that the Study Area, consisting of the entirety of the Town of Westfield, meets the eligibility criteria of *N.J.S.A. 40A:12A-14* for designation as an area in need of rehabilitation in that (a) a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance and (b) more than half

of the housing stock in the Study Area is at least 50 years old. The Mayor and Council further find that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall development of the Town of Westfield in accordance with the requirements of *N.J.S.A. 40A:12A-14*.

2. The Mayor and Council hereby delineates the Study Area and all of the properties therein as an area in need of rehabilitation (hereinafter, the Study Area shall be the “Rehabilitation Area”), which delineation allows the Mayor and Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A. 40A:12A-21, et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area.

3. The Mayor and Council hereby directs the Town Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.

4. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

5. This Resolution shall take effect immediately.

Yeas: Habgood

Nays: LoGrippo

Absent: None

Parmelee

Katz

Mackey

Contract

Dardia

Boyes

Mayor Brindle

#### Public Works Committee

The following resolution, introduced by Councilman Contract, seconded by Councilwoman Mackey was adopted by the following roll call vote:

#### **Resolution No. 226**

WHEREAS, sealed bids were received by the Town Clerk on October 7, 2020 for the 2021 Curbside Collection of Recyclable Material in Westfield, New Jersey as authorized by Public Works Account 137-245, and

WHEREAS, the Town Engineer has determined that the lone bid submitted far exceeded the amount budgeted by the Town, and is therefore rejected.

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is hereby authorized to re-bid for the 2021 Curbside Collection of Recyclable Material.

#### **COMMITTEE REPORTS**

##### Public Works Committee

Councilman Contract thanked the Green Team, as well as boy scouts, girl scouts, and the Westfield Friends of the Library with respect to the Free Market event that was held. Feels the event was successful and was very positive for the environment and deserving families.

Councilman Contract also discussed recent cleanups at Tamaques Park, Brightwood Park and Clark Park. Stated that he is disappointed that a significant amount of garbage was collected and reminded residents not to litter. Feels the ultimate goal is to eliminate the need for park cleanups.

In addition, Councilman Contract discussed leaf collection and a Green Team informational video that should be available next week which would include different options for leaf collection, such as mulching and bagging. The video would also include a demonstration on how to use the leaf bag chute mentioned earlier this evening by the Town Administrator.

Lastly, Councilman Contract reminded residents that there is still an opportunity to participate in the home energy savings program. Explained that this program was approved by the Town last year as a way to help residents save on energy costs through improvements to their home, such as insulation and new heating and cooling systems. Also mentioned that there are grants and low interest loans available for those improvements. In closing, announced that there is a special offer of \$49.00 for a home energy audit, and one resident could be eligible for a free energy audit by emailing [info@cielpower.com](mailto:info@cielpower.com).

### **ADJOURNMENT**

A motion to adjourn, made by Councilwoman Habgood and seconded by Councilwoman Mackey at 8:50 P.M. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk